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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/100,952	06/22/1998	KWANG-YOUN PARK	P55248	9119

7590 05/22/2002

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EXAMINER

CHIEU, PO LIN

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/100,952	Applicant(s) PARK ET AL.	
	Examiner Polin Chieu	Art Unit 2615	
--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --			
<p>THE REPLY FILED 10 May 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.</p>			
PERIOD FOR REPLY [check either a) or b)]			
<p>a) <input checked="" type="checkbox"/> The period for reply expires 3 months from the mailing date of the final rejection.</p> <p>b) <input type="checkbox"/> The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.</p> <p style="text-align: center;">ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).</p>			
<p>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</p>			
<p>1. <input type="checkbox"/> A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.</p> <p>2. <input type="checkbox"/> The proposed amendment(s) will not be entered because:</p>			
<p>(a) <input type="checkbox"/> they raise new issues that would require further consideration and/or search (see NOTE below);</p> <p>(b) <input type="checkbox"/> they raise the issue of new matter (see Note below);</p> <p>(c) <input type="checkbox"/> they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</p> <p>(d) <input type="checkbox"/> they present additional claims without canceling a corresponding number of finally rejected claims.</p>			
<p>NOTE: _____. </p>			
<p>3. <input type="checkbox"/> Applicant's reply has overcome the following rejection(s): _____. </p>			
<p>4. <input type="checkbox"/> Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). </p>			
<p>5. <input checked="" type="checkbox"/> The a)<input type="checkbox"/> affidavit, b)<input type="checkbox"/> exhibit, or c)<input checked="" type="checkbox"/> request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>the argument are not persuasive</u>. </p>			
<p>6. <input type="checkbox"/> The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. </p>			
<p>7. <input type="checkbox"/> For purposes of Appeal, the proposed amendment(s) a)<input type="checkbox"/> will not be entered or b)<input type="checkbox"/> will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. </p>			
<p>The status of the claim(s) is (or will be) as follows:</p>			
<p>Claim(s) allowed: _____. </p>			
<p>Claim(s) objected to: _____. </p>			
<p>Claim(s) rejected: <u>1-12</u>. </p>			
<p>Claim(s) withdrawn from consideration: _____. </p>			
<p>8. <input type="checkbox"/> The proposed drawing correction filed on _____ is a)<input type="checkbox"/> approved or b)<input type="checkbox"/> disapproved by the Examiner. </p>			
<p>9. <input type="checkbox"/> Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____. </p>			
<p>10. <input type="checkbox"/> Other: _____. </p>			

Response to Arguments

1. Applicant's arguments filed 5/10/02 have been fully considered but they are not persuasive. Applicant argues that Young et al '266 does not appear to disclose pre-storage of program identification information. Young et al discloses a schedule memory (232) that stores program guide information in figure 22A (col. 12, line 62 – col. 13, line 11). Clearly if Young et al stores program guide information (fig. 1), program identification information is also stored. The applicant argues that the reduction of the picture in Yuen et al '203 is severe; therefore, the viewing is interrupted. However, the examiner disagrees that the viewing is interrupted if the picture is reduced in size. Reducing the picture size does not prevent viewing, it simply reduces the size of the picture. Although the picture is reduced, the viewer is still able to view the video; therefore, the viewing of the program is not interrupted. The applicant argues that the combination of Young et al and Yuen et al is improper; however, the examiner points out that both Young et al and Yuen et al are directed towards electronic program guides (EPG). Yuen et al provides the added benefit of uninterrupted viewing of a video program while viewing the program guide as shown in figure 2. Regarding Lawler et al '107, Lawler et al discloses Record Options (fig. 10) that operates similar to the Remind Options (fig. 8) but appearing on the EPG without interrupting the viewing of a program, and allowing the user to set reserved-recording for a program. The applicant does not claim the capability of automatically selecting a broadcast program currently being viewed, and setting reserve-recording with respect to the broadcast program currently being viewed. Lawler et al discloses a device that allows the user to set reserved

recording without interrupting the viewing of a program; therefore, Lawler et al is considered to be relevant to the claimed invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-F 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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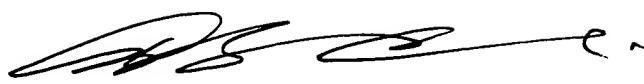
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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PC
May 17, 2002



**ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**